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6 GRAPH FOUNDATION, INC.

7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA
9 SAN FRANCISCO DIVISION
10

11 NEO4J, INC., a Delaware corporation, and
12 NEO4J SWEDEN AB, a Swedish corporation

13 Plaintiffs,

14 vs.

15 GRAPH FOUNDATION, INC., an Ohio
corporation, GRAPHGRID, INC., and
16 ATOMRAIN, INC., a Nevada corporation

17 Defendants.
18

Case No. 5:19-CV-06226-EJD

**STIPULATION EXTENDING BRIEFING
DEADLINES ON MOTION TO STRIKE
AND [PROPOSED] ORDER**

1 Plaintiffs Neo4J, Inc. and Neo4j Sweden AB (“Plaintiffs”), and Defendant Graph
2 Foundation, Inc. (“GFI”), by and through their attorneys of record (collectively, the “Parties”),
3 HEREBY STIPULATE AS FOLLOWS:

4 WHEREAS, GFI filed its Answer to the Amended Complaint on November 30, 2020.

5 WHEREAS, on January 7, 2021, Plaintiff filed its Motion to Strike the Fifth Affirmative
6 Defense of GFI’s Answer to the Amended Complaint. The hearing on the Motion to Strike is
7 currently set for February 11, 2021.

8 WHEREAS, GFI’s Opposition to the Motion to Strike is currently due on January 21,
9 2021.

10 WHEREAS, Plaintiffs Reply in support of the Motion to Strike is currently due on January
11 28, 2021.

12 WHEREAS, GFI has requested, and Plaintiff has agreed to modest extensions of the
13 deadline for GFI’s Opposition to the Motion to Strike.

14 WHEREAS, the parties have agreed to forego a hearing and oral argument on the Motion
15 to Strike and for the Court to rule on the motion once all briefing is complete.

16 IT IS HEREBY STIPULATED THAT:

17 1. The deadline for GFI to file its opposition to Plaintiff’s Motion to Strike is
18 extended from January to February 4, 2021.

19 2. The deadline for Plaintiff to file its reply to GFI’s opposition to Plaintiff’s Motion
20 to Strike is extended to February 18, 2021.

21 3. The February 11, 2021 hearing on the Motion to Strike be taken off-calendar, and
22 Plaintiff’s Motion to Strike shall be submitted on the papers and ruled on by the Court without
23 resetting the hearing or holding oral argument.

24 Dated: January 20, 2021

BERGESON, LLP

25
26 By: /s/ John D. Pernick
John D. Pernick
27 Attorneys for Defendant
GRAPH FOUNDATION, INC.

1 Dated: January 20, 2021

HOPKINS & CARLEY

3 By: /s/ Jeffrey M. Ratinoff
4 John V. Picone III
5 Jeffrey M. Ratinoff
6 Attorneys for Plaintiff
7 NEO4J, INC.

8 PURSUANT TO STIPULATION, IT IS SO ORDERED.

9 DATED: _____

United States District Judge

12 **ATTESTATION**

15 I, John D. Pernick, am the ECF User whose identification and password are being used to
16 file this **STIPULATION EXTENDING BRIEFING DEADLINES ON MOTION TO**
17 **STRIKE AND [PROPOSED] ORDER.** In compliance with Civil Local Rule 5-1(i)(3), I attest
18 that all other signatories have concurred in this filing.

19 Dated: January 20, 2021

By: /s/ John D. Pernick
John D. Pernick

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